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| 10/042,207 | 01/11/2002 | Chaucer Chiu | 3313-0465P-SP | 6589 |

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| 2292 7590 05/16/2005 | | EXAMINER |
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| ART UNIT | PAPER NUMBER |
| 2136 | |

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DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | Application No. | Applicant(s) |
|---|---|---|
| | 10/042,207 | CHIU ET AL. |
| **Office Action Summary** | Examiner | Art Unit | |
| | Firas Alomari | 2136 | |

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _11 January 2002_.

2a)☐ This action is **FINAL**.    2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1-24_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _1-24_ is/are rejected.

7)☐ Claim(s) _14_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance.  See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

## DETAILED ACTION

### *Claim Objections*

1.      Claim14 is objected to because of the following informalities:  "vervifying"

in line 10 should be "verifying".  Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

1.      The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.      Claims 1-4 and 14-19 are  rejected under 35 U.S.C. 102(b) as being

anticipated by Takahashi et al. US(6,332,025).

Regarding claims 1 and 14: Takahashi discloses a system for expanding the

database includes:

a database website including (Col 6, lines 53-58 and Col 7, lines 58-62):

a storage unit for storing a plurality of databases; (Item 68 of FIG. 2)

a download unit for selecting and downloading the database of the storage unit;( item 60 of FIG2 and Col  12, lines19-33 )

an authentication unit for confirming the validity of installing the database; ( Col 12, Lines 33-50 and FIG. 2 items 64 and 62)


a client end, with a connection to the database website, for choosing the database from the download unit and then retrieving a number of download and installation times for downloading and installing on-line after paying for the chosen database(Col 5, Lines 34-57),  the client end includes:

a storage and installation module for storing and installing the database downloaded from the download unit, and contains an encryption maker for encrypting the database(Col 13, Lines 2-18); and

an authentication module for sending one authentication code of the client end to the authentication unit before complete installation of the storage and installation module(Col 9 Line 54 through Col 10 line 6), and

an authentication approval message is received from the authentication unit and sent to the storage and installation module to encrypt the database with the authentication code by the encryption maker after confirmed (Col 18, lines17-32), then the storage and installation module completely installs the encrypted database on line.( Col 20, lines 52-59)

Regarding claims 2 and 15: Takahashi discloses the invention as recited in claim 1, wherein the client end further includes a decryption module which utilizes the authentication code to decrypt the database when the database being operated. ( Col 13, lines 30-34)

Regarding claim 3: Takahashi discloses the invention as recited in claim 2, wherein the decryption module, the encryption maker, and one encryption and decryption maker of the authentication unit further utilize for encrypting and decrypting the authentication code and the authentication message which needs to be sent.(Col 10, lines 26-49)

Regarding claim 4: Takahashi discloses the invention as recited in claim 3, wherein the decryption module, the encryption maker, and the encryption and decryption maker of the authentication unit encrypt and decrypt the database with database installing time of the client end.( Col 12, lines 54-65)

Regarding claim 16: Takahashi discloses the invention as recited in claim 14 includes a step of encrypting the authentication code with the time of installing the database at the client end prior to the step of sending an authentication code to the database website. (Col 8,line 62 through Col 9, line; Col 9, lines 21-24 and Col 9, lines 39-41)

Regarding claim 17: Takahashi discloses the invention as recited in claim 16, wherein the step of sending an authentication code to the database website further includes a step of decrypting the authentication code by the database website. ( Col 10, lines 7-16)

regarding claim 18: Takahashi discloses the invention as recited in claim 14, wherein the authentication approval message is sent back after being encrypted with the database installation time of the client end. (Col 20, Lines 52-59 and Col 12, lines 54-65)

Regarding claim 19: Takahashi discloses the invention as recited in claim 18, wherein the step of receiving the authentication approval message further includes a step of decrypting the authentication approval message. ( Col 20, line 64 through Col 21, line 2 and Col 12, lines 54-65)

## *Claim Rejections - 35 USC § 103*

3.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.      Claims 5-14 and 20-24 are  rejected under 35 U.S.C. 103(a) as being

unpatentable over Takahashi et al. US(6,332,025) in view of Cooper et al.

US(5,757,908).

Regarding claim 5: Takahashi discloses the invention as recited in claim 1

wherein the request message has a time value (Col 6 line 66 through Col 7 line

8); and the system can be used to specify the validity period of the software ( Col

9, lines 5-11) but he doesn't disclose the download unit further includes a

recorder for recording the times of downloading and installing the database to

confirm if download and installation is still valid by checking the authentication

code. However Cooper discloses a method for controlling access to distributed

software where he teach the using of an entitlement key that includes time and

date stamps (Col 8, lines 28-61) he also teaches recording the time for the

download and installation of the software (Col 12, lines 32-62) to verify the

validity of the software being distributed or accessed. (Col 12, lines 10-31).

Therefore it would have been obvious to one ordinary skilled in the art at the time

the invention was made to modify Takahashi invention with the teachings of

Cooper to record download and installation time and include the time in the

authentication code. One would be motivated to do so in order to enable the

system to restrict access to run the software based on the time period elapsed

since the software have been installed or downloaded. Additionally including the

time stamp in the authentication message can be used to verify that the software

requesting the decryption key is the same as the software downloaded.

Regarding claims 6 and 20: Takahashi discloses the invention as recited in claim 5, wherein the authentication code is the client end's ID, password, and a computer ID (Col 7, Lines 1-8). But he doesn't explicitly disclose the authentication code including the hard disk serial number. However Cooper et al. discloses a method for distributing trail period software where he teaches the using of a key for unlocking the software that includes unique attributes of the system such as the computer hard disk serial number (Col 14, Lines 28-40). Therefore it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify Takahashi's system with the teachings of Cooper to include a Hardware serial number in the authentication code. One would be motivated to do so in order to make the key effective for a single specified machine.

Regarding claim 7: Takahashi doesn't explicitly disclose the invention as recited in claim 6, wherein when the harddisk serial number differs from the harddisk serial number of previous database download and installation, the recorder renews the download and installation times. However Cooper discloses a method for controlling access to distributed software where he use an entitlement key to unlock the software that includes time and date stamps (Col 8, lines 28-61 and Col 12, lines 32-62) he teaches recording installation and download time for generating a new key when the system attributes change (Col 16, Lines 3-14). Therefore it would have been obvious to one ordinary skilled in the art at the time

the invention was made to modify Takahashi invention with the teachings of

Cooper to record download and installation time when the hard disk serial

number changes. One would be motivated to do so in order to enable the system

to restrict access to run the software based on the time period elapsed since the

software have been installed or downloaded while giving the legitimate users the

flexibility to upgrade the machine hardware or the change the computer.

Regarding claim 8: Takahashi doesn't explicitly disclose the invention as recited

in claim 7, wherein the download and installation times are download and

installation times, which have been already made. However Cooper discloses a

method for controlling access to distributed software where he use an entitlement

key to unlock the software that includes time and date stamps (Col 8, lines 28-61

and Col 12, lines 32-62) he teaches recording installation and download time,

which already have been made (Col 9, Lines 26-43) to generate a new key when

the system attributes change (Col 16, Lines 3-14). Therefore it would have been

obvious to one ordinary skilled in the art at the time the invention was made to

modify Takahashi invention with the teachings of Cooper to record download and

installation times, which already have been made when there is a change in the

hard disk serial number. One would be motivated to do so in order to enable the

system to restrict access to run the software based on the time period elapsed

since the software have been installed or downloaded while giving the legitimate

users the flexibility to upgrade the machine hardware or the change the computer

being used.

Regarding claim 9: Takahashi doesn't explicitly disclose the invention as recited in claim 7, wherein the download and installation times are remaining download and installation times. However Cooper discloses a method for controlling access to distributed software where he use an entitlement key to unlock the software that includes time and date stamps (Col 8, lines 28-61 and Col 12, lines 32-62) he teaches recording remaining installation and download time (Col 9, Lines 26-43) to generate a new key when the system attributes change (Col 16, Lines 3-14). Therefore it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify Takahashi invention with the teachings of Cooper to record remaining download and installation times when there is a change in the hard disk serial number. One would be motivated to do so in order to enable the system to restrict access to run the software based on the time period elapsed since the software have been installed or downloaded while giving the legitimate users the flexibility to upgrade the machine hardware or the change the computer being used.

Regarding claims 10 and 21: Takahashi discloses the invention as recited in claim 5, wherein the authentication code is the client end's ID, password, and a computer ID (Col 7, Lines 1-8). But he doesn't explicitly disclose the authentication code including the manufacture number of the computer. However Cooper et al. discloses a method for distributing trail period software where he teaches the using of a key for unlocking the software that includes a unique

attributes of the system such as the computer hardware serial number or manufacture number (Col 14, Lines 28-40). Therefore it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify Takahashi's system with the teachings of Cooper to include a Hardware serial number in the authentication code. One would be motivated to do so in order to make the key effective for a single specified machine.

Regarding claim 11: Takahashi doesn't explicitly disclose the invention as recited in claim 10, wherein when the manufacture number differs from the manufacture number of previous database download and installation, the recorder renews the download and installation times. However Cooper discloses a method for controlling access to distributed software where he use an entitlement key to unlock the software that includes time and date stamps (Col 8, lines 28-61 and Col 12, lines 32-62) he teaches recording installation and download time for generating a new key when the system attributes like the manufacture number change (Col 16, Lines 3-14). Therefore it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify Takahashi invention with the teachings of Cooper to record download and installation time when the manufacture number change. One would be motivated to do so in order to enable the system to restrict access to run the software based on the time period elapsed since the software have been installed or downloaded while giving the legitimate users the flexibility to upgrade the machine hardware or the change the computer.

Regarding claim 12: Takahashi doesn't explicitly disclose the invention as recited

in claim 11, wherein the download and installation times are download and

installation, which have been already made. However Cooper discloses a

method for controlling access to distributed software where he use an entitlement

key to unlock the software that includes time and date stamps (Col 8, lines 28-61

and Col 12, lines 32-62) he teaches recording installation and download time,

which already have been made (Col 9, Lines 26-43) to generate a new key when

the system attributes change (Col 16, Lines 3-14). Therefore it would have been

obvious to one ordinary skilled in the art at the time the invention was made to

modify Takahashi invention with the teachings of Cooper to record download and

installation times, which already have been made when there is a change in the

manufacture number. One would be motivated to do so in order to enable the

system to restrict access to run the software based on the time period elapsed

since the software have been installed or downloaded while giving the legitimate

users the flexibility to upgrade the machine hardware or the change the computer

being used.

Regarding claim 13: Takahashi doesn't explicitly disclose the invention as recited

in claim 11, wherein the download and installation times are remaining download

and installation times. However Cooper discloses a method for controlling access

to distributed software where he use an entitlement key to unlock the software

that includes time and date stamps (Col 8, lines 28-61 and Col 12, lines 32-62)

he teaches recording remaining installation and download time (Col 9, Lines 26-43) to generate a new key when the system attributes change (Col 16, Lines 3-14). Therefore it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify Takahashi invention with the teachings of Cooper to record remaining download and installation times when there is a change in the computer manufacture number. One would be motivated to do so in order to enable the system to restrict access to run the software based on the time period elapsed since the software have been installed or downloaded while giving the legitimate users the flexibility to upgrade the machine hardware or the change the computer being used.

Regarding claim 22: Takahashi discloses the invention as recited in claim 1 wherein the request message has a time value (Col 6 line 66 through Col 7 line 8); and the system can be used to specify the validity period of the software ( Col 9, lines 5-11) but he doesn't disclose the download unit further includes a recorder for recording the times of downloading and installing the database to confirm if download and installation is still valid by checking the authentication code. However Cooper discloses a method for controlling access to distributed software where he teach the using of an entitlement key that includes time and date stamps (Col 8, lines 28-61) he also teaches renewing the time for the download and installation of the software (Col 12, lines 32-62) to verify the validity of the software being distributed or accessed. (Col 12, lines 10-31). Therefore it would have been obvious to one ordinary skilled in the art at the time

the invention was made to modify Takahashi invention with the teachings of
Cooper to record download and installation time and include the time in the
authentication code. One would be motivated to do so in order to enable the
system to restrict access to run the software based on the time period elapsed
since the software have been installed or downloaded. Additionally including the
time stamp in the authentication message can be used to verify that the software
requesting the decryption key is the same as the software downloaded.

Regarding claim 23: Takahashi doesn't explicitly disclose the invention as recited
in claim 22, wherein the download and installation times are download and
installation, which have been already made. However Cooper discloses a
method for controlling access to distributed software where he use an entitlement
key to unlock the software that includes time and date stamps (Col 8, lines 28-61
and Col 12, lines 32-62) he teaches recording installation and download time,
which already have been made (Col 9, Lines 26-43) to generate a new key when
the system attributes change to validate the software usage (Col 16, Lines 3-14).
Therefore it would have been obvious to one ordinary skilled in the art at the time
the invention was made to modify Takahashi invention with the teachings of
Cooper to record download and installation times. One would be motivated to do
so in order to enable the system to restrict access to run the software based on
the time period elapsed since the software have been installed or downloaded
while giving the legitimate users the flexibility to upgrade the machine hardware
or the change the computer being used.

Regarding claim 24: Takahashi doesn't explicitly disclose the invention as recited

in claim 22, wherein the download and installation times are the remaining

download and installation times. However Cooper discloses a method for

controlling access to distributed software where he use an entitlement key to

unlock the software that includes time and date stamps (Col 8, lines 28-61 and

Col 12, lines 32-62) he teaches recording remaining installation and download

time (Col 9, Lines 26-43) to generate a new key to validate the software usage

(Col 16, Lines 3-14). Therefore it would have been obvious to one ordinary

skilled in the art at the time the invention was made to modify Takahashi

invention with the teachings of Cooper to record remaining download and

installation times. One would be motivated to do so in order to enable the system

to restrict access to run the software based on the time period elapsed since the

software have been installed or downloaded while giving the legitimate users the

flexibility to upgrade the machine hardware or the change the computer being

used.


        Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Firas Alomari whose telephone number is

(571) 272-7963. The examiner can normally be reached on M-F from 7:30 am -

4:00 pm.

        If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, AYAZ SHEIKH can be reached on (571) 272-3795. The

fax phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

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Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

Firas  Alomari
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FA

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